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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,960	03/11/2004	Daniel V. Gochenour	65856-0056	6273
10291	7590	07/20/2005	EXAMINER	
RADER, FISHMAN & GRAUER PLLC 39533 WOODWARD AVENUE SUITE 140 BLOOMFIELD HILLS, MI 48304-0610			BONCK, RODNEY H	
			ART UNIT	PAPER NUMBER
			3681	

DATE MAILED: 07/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/797,960	Applicant(s) GOCHENOUR ET.AL.	
	Examiner Rodney H. Bonck	Art Unit 3681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2004.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-48 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some    \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>03/11/05</u>  | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

The following is a first action on the merits of application Serial No.10/797,960, filed March 11, 2004.

### ***Information Disclosure Statement***

Receipt is acknowledged of the Information Disclosure Statement filed March 11, 2004. The cited documents have been considered.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 6, 15, and 36 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claims 6 and 36, it is unclear what is referred to be the "height" of the diaphragm spring or return spring. Thus the intended meaning of the "height to thickness ratio" is not understood. In claim 15, there is no proper antecedent basis for "the weights engaged with the first ramp surface" and "the weights engaged with the second ramp surface" since this implies two different set of weights.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 5, 7-11, 14, 21-24, 26, 33-35, 37, 40, and 48 are rejected under 35 U.S.C. 102(b) as being anticipated by Gochenour et al.(US 2003/0042108 A1). The Gochenour et al. device discloses a centrifugal clutch assembly comprising an input portion 136 and an output portion 206. The output portion includes friction plates 102, 106, and the input portion includes a cover module 100. The cover module includes a pressure plate 130, a moveable plate 128, a fixed plate 125, a plurality of weights 110, 120, and a return spring 132 and/or 114. Return springs 114 are coil springs located between the fixed plate 125 and a bolt 116. First and second ramp surfaces are provided at 148, 150. Return spring 132 is a diaphragm spring and can be considered the preloaded plate spring that limits the axial force applied to the pressure plate.

Claims 1-4, 9, 10, 34, and 35 are rejected under 35 U.S.C. 102(b) as being anticipated by Atsumi et al.('172). The Atsumi et al. device discloses a centrifugal clutch assembly comprising an input portion 1 and an output portion 15. The output portion includes a friction plate 12 and the input portion includes a cover module 2, 3,

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3a, 3b, 3c, 4. The cover module comprises a pressure plate 4, a moveable plate 3b, a fixed plate 3a, a plurality of weights 3, and a plurality of return springs 3c. The return springs apply a pulling force on the moveable plate. The return springs 3c in Atsumi et al. are coil springs.

Claims 1, 2, 10, 20, 34, 35, 45, and 46 are rejected under 35 U.S.C. 102(b) as being anticipated by Nakane('862). Nakane discloses a centrifugal clutch assembly (Fig. 8) with an input portion 60 and an output portion 74. The output portion includes a friction plate 69 and the input portion includes a cover module 13, 65, 19, 30. The cover module comprises a pressure plate 65, a moveable plate 19, a fixed plate 13, weights 30 and return spring 23. Each of the weights is a roller weight including a shaft-like inner roller portion 31 and a generally cylindrical outer roller portion 33. A bearing 34 is positioned between the inner and outer roller portions.

Claims 1-4, 7-12, 14-17, 22, 24, 26-28, 33-35, 37, 38, and 40-42 are rejected under 35 U.S.C. 102(b) as being anticipated by Miller('639). Miller discloses a centrifugal clutch assembly including an input portion 2 and an output portion 5. The output portion includes friction plates 20, and the input portion includes a cover module 3, 34, 29, 31, 39, 44. The cover module comprises a pressure plate 44, a moveable plate 31, a fixed plate 29, a plurality of weights 34, and return springs 39. The spring is positioned between the fixed plate 29 and a bolt 41 and can be considered to apply a pulling force on the moveable plate. The return springs are coil springs. There are

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plural ramps 33 that are curved, providing an increasing angle and can be considered first and second ramps. The weights are roller weights.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 13, 18-20, 25, 29, 30-32, 39, and 43-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller('639). The roller weights in Miller include a shaft-like inner roller portion and a generally cylindrical outer roller portion, but lack the claimed bearing. Provision of a bearing between two relatively rotatable parts would have been obvious to one having ordinary skill in this art. Thus providing a bearing

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between the roller portions in Miller would have been obvious, the motivation being to reduce wear between the roller portions. Miller does not discuss the specific angles of the ramps, but it would have been within the purview of the artisan to arrive at appropriate angles to achieve the speed response desired. Thus, the specific angle of the ramps is not seen as a patentably significant limitation.

### ***Conclusion***

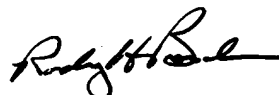
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Maimone('056) and Nakamura(JP 2002-21879) show other centrifugal clutches. Lassanske('052) is cited for its showing of an increasing ramp angle.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney H. Bonck whose telephone number is (571) 272-7089. The examiner can normally be reached on Monday-Friday 7:00AM - 3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles A. Marmor can be reached on (571) 272-7095. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Rodney H. Bonck  
Primary Examiner  
Art Unit 3681

rhb  
July 12, 2005